

REMARKS

Claims 8-13 were previously pending in the application. Claims 8-13 are canceled and replaced with new claims 14-26. Accordingly, claims 14-26 are presented for consideration.

Claims 8-13 are rejected as unpatentable over the admitted prior art in view of DE 3634793 and any one of EP 546,854, EP 662,389 or WO 88/06966 and optionally further in view of LEMELSON 3,779,446.

Reconsideration and withdrawal of the rejection are respectfully requested because the references do not teach or suggest forming an edge on at least one surface of each of the ends to be joined to one another, such that each edge is set back relative to a respective face surface of the ends and moving the ends toward one another during the welding process until the edges touch one another as recited in new claim 14 of the present application.

By way of example, Figure 2 of the present application shows edges 7 on at least one surface 2 of metal strips 1. The edges are set back from the end faces 5 such that relative to a respective end face 5 a step is formed as more clearly shown in Figure 3. During the welding process, the end faces 5 are pressed against one another in the direction of the arrows in Figure 3 and welding continues until the edges 7 touch one

another. As soon as the edges 7 touch one another as seen in Figure 4, the welding process is stopped.

As previously set forth and as acknowledged in the Official Action, the admitted prior art does not teach providing an edge on at least one of the surfaces of the ends to be joined. To attempt to overcome this shortcoming, the Official Action has combined the admitted prior art with German patent 3634793. Figures 4 and 5 of DE '793 show an edge on at least one surface (17 in Figure 4 and 18, 19 in Figure 5). However, the only completed weld of DE '793 as shown in Figure 3 includes bump 9.

As set forth on page 2, lines 7-11 of the present invention, an object of the present invention is to join two hollow strips by welding so that there is no visible welding bead. One of ordinary skill in the art would recognize that once the edges 7 touch each other a planar surface, as seen in Figure 4 of the present application, would result.

Accordingly, the combination of DE '793 and applicant's disclosed prior art would result in a bump 9 that would not render obvious the claims of the present application.

In addition, the teachings of DE '793 do not teach or suggest that the edges touch one another as seen in Figure 4 of the present application and as recited in claim 14 of the present application.

The references to EP '854, EP '389 and WO 88/06966 each teach a cut or a chamfer in the end of a tube. However, none of these references teach that the edges on at least one surface of the ends to be joined to one another touch one another as recited in claim 14 of the present application.

LEMELSON is only cited for the teaching that an article to be welded can be thermoplastic or metal. LEMELSON does not teach or suggest what is recited in claim 14.

The above-noted feature is missing from each of the references, is absent from the combination, and thus is not obvious to one having ordinary skill in the art.

Claims 15-21 depend from claim 14 and further define the invention and are also believed patentable over the cited prior art.

New claim 22 provides that each edge is laterally outwardly displaced with respect to a respective face of the first and second ends and when the first and second ends are moved toward one another during butt welding, the ends are moved together until the edges touch one another.

By way of further explanation, as seen in Figure 3 of the present application, the edges are outwardly displaced with respect to the faces 5 and welding is formed until the edges 7 contact each other as seen in Figure 4. The comments above regarding claim 14 are equally applicable to claim 22.

Claims 23-26 depend from claim 22 and further define the invention and are also believed patentable over the cited prior art. In addition, claim 23 recites that the edges touch one another so that the surface is planar. As set forth above, the references do not teach or suggest this feature.

Accordingly, it is believed that the new claims avoid the rejection under §103 and are allowable over the art of record.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

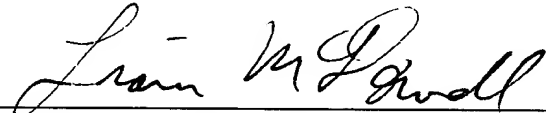
If the foregoing remarks do not persuade the Examiner, the Examiner is respectfully requested to provide an English translation of DE 3634793 with an indication of which specific paragraphs teach or suggest stopping the welding process as soon as the edges touch one another as recited in the claims of the present application and as shown in Figure 4 of the present application.

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The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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